

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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**SENATE BILL 444
PROPOSED COMMITTEE SUBSTITUTE S444-CSMC-22 [v.3]**

Short Title: Nonappropriated Capital Projects.

(Public)

Sponsors:

Referred to:

March 29, 2011

A BILL TO BE ENTITLED
AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT
APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL
IMPROVEMENTS PROJECTS.
The General Assembly of North Carolina enacts:

STATEMENT OF PURPOSE

SECTION 1. The purpose of this act is to authorize (i) the planning or construction by certain constituent institutions of The University of North Carolina of the capital improvements projects listed in the act for the respective institutions, (ii) the financing of these projects with funds available to the institutions from gifts, grants, receipts, self-liquidating indebtedness, Medicare reimbursements for education costs, hospital receipts from patient care, or other funds, or any combination of these funds, but not including funds received for tuition or appropriated from the General Fund of the State unless previously authorized by General Statute, and (iii) other expenditures for improvements.

UNC CAPITAL IMPROVEMENT PROJECTS

SECTION 2. The capital improvements projects, and their respective costs, authorized by this act to be constructed and financed as provided in Section 1 of this act, including by revenue bonds, by special obligation bonds as authorized in Section 5 of this act, or by both, are as follows:

Appalachian State University

Winkler Residence Hall – Supplement \$ 3,000,000

Belk Residence Hall 9,765,000

East Carolina University

Belk Residence Hall Demolition and Reconstruction 40,000,000

North Carolina State University

Phytotron Energy Savings Performance Contract 6,200,000

The University of North Carolina at Asheville

Mountain Area Health Education Center (MAHEC) Facility Acquisition 4,750,000



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The University of North Carolina at Chapel Hill

Chilled Water Infrastructure Improvements	11,700,000
Steam and Hot Water Infrastructure Improvements	12,000,000
Craige Parking Deck – Supplement	8,000,000

The University of North Carolina at Charlotte

Campus Infrastructure Development	49,500,000
Residence Hall Phase XII	38,407,410
Cedar/Hickory/Sycamore (Phase IV-A) Renovation	10,000,000

The University of North Carolina at Greensboro

1600 W. Lee Street Parking Lot Improvements	3,432,000
Reynolds and Grogan Residence Hall Renovation	16,640,000

Winston-Salem State University

Restore the Core – Phase I (Hill Hall)	13,500,000
New Student Housing Building 1 Acquisition	14,500,000
South Campus Acquisitions and Improvements	7,500,000
North Campus Acquisitions and Improvements	7,000,000

SECTION 3. The capital improvements projects, and their respective costs, authorized by this act to be planned and financed as provided in Section 1 of this act, including by revenue bonds, by special obligation bonds as authorized in Section 5 of this act, or by both, are as follows:

North Carolina A&T State University

New Student Center	\$ 5,000,000
Williams Dining Hall Kitchen Replacement	500,000

North Carolina Central University

New – Student Health Services Center – Phase 1	700,000
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The University of North Carolina at Chapel Hill

Athletic Facilities Master Plan and Phase 1 Improvements	5,000,000
Odum Village Replacement	5,000,000

Winston-Salem State University

Restore the Core – Phase II (Hauser, Pegram, Physical Plant)	1,500,000
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SECTION 4. At the request of the Board of Governors of The University of North Carolina and upon determining that it is in the best interest of the State to do so, the Director of the Budget may authorize an increase or decrease in the cost of, or a change in the method of, funding the projects authorized by this act. In determining whether to authorize a change in cost or funding, the Director of the Budget may consult with the Joint Legislative Commission on Governmental Operations.

SECTION 5. Pursuant to G.S. 116D-26, the Board of Governors may issue, subject to the approval of the Director of the Budget, at one time or from time to time, special obligation bonds of the Board of Governors for the purpose of paying all or any part of the cost of acquiring, constructing, or providing for the projects authorized by Section 2 and Section 3 of this act. The maximum principal amount of bonds to be issued shall not exceed the specified

project costs in Section 2 and Section 3 of this act plus five percent (5%) of such amount to pay issuance expenses, fund reserve funds, pay capitalized interest, and pay other related additional costs, plus any increase in the specific project costs authorized by the Director of the Budget pursuant to Section 4 of this act.

SECTION 6. With respect to UNC-Chapel Hill's Chilled Water Infrastructure Improvements capital project, the institution may accomplish construction and financing notwithstanding the requirement in G.S. 116D-22(5) as to location at the institution and may accomplish the project either through (i) direct ownership of the project or (ii) an arrangement with Orange Water and Sewer Authority.

SECTION 7. With respect to Winston-Salem State University's New Student Housing Building 1 Acquisition project, the institution may accomplish construction, acquisition, and financing through arrangements to, from, and with Winston-Salem State University Foundation, Inc., and Winston-Salem State University Housing Foundation, LLC.

SECTION 8. With respect to Winston-Salem State University's South Campus Acquisitions and Improvements project, the institution may accomplish construction, acquisition, and financing notwithstanding the requirement in G.S. 116D-22(5) as to location at the institution and either through (i) direct ownership of the project or (ii) by participation in a long-term agreement with the City of Winston-Salem.

SECTION 9. G.S. 18B-1006(a) reads as rewritten:

"(a) School and College Campuses. – No permit for the sale of malt beverages, unfortified wine, or fortified wine shall be issued to a business on the campus or property of a public school or college, other than at a regional facility as defined by G.S. 160A-480.2 operated by a facility authority under Part 4 of Article 20 of Chapter 160A of the General Statutes except for a public school or college function, unless that business is a hotel or a nonprofit alumni organization with a mixed beverages permit or a special occasion permit. This subsection shall not apply on property owned by a local board of education which was leased for 99 years or more to a nonprofit auditorium authority created prior to 1991 whose governing board is appointed by a city board of aldermen, a county board of commissioners, or a local school board. This subsection shall also not apply to the constituent institutions of The University of North Carolina with respect to the sale of beer and wine at (i) performing arts centers located on property owned or leased by the institutions if the seating capacity does not exceed 2,000 ~~seats, or to~~ seats; (ii) any golf courses owned or leased by the institutions and open to the public for ~~use-use;~~ or (iii) any stadiums that support a NASCAR-sanctioned one-fourth-mile asphalt flat oval short track, are owned or leased by the institutions, and limit the sale of malt beverages, unfortified wine, or fortified wine to events that are not sponsored or funded by the institutions."

NON-GENERAL FUND CAPITAL IMPROVEMENT AUTHORIZATIONS

SECTION 10. The General Assembly authorizes the following capital projects to be funded with receipts or from other non-General Fund sources available to the appropriate department:

Name of Project	Amount of Non-General Fund Funding Authorized for FY 2012-2013
Department of Public Safety	
Training Site Improvements	\$ 620,000
Aviation Facilities Improvements	600,000
Logistics Facilities Improvements	310,000
Career Tech. Ed. Ctr. – Stonewall Jackson Y.D.C.	163,332
Storage Sheds – Statewide	51,765
Readiness Centers Improvements	40,000

1	Track and Field Facility – Stonewall Jackson Y.D.C.	161,046
2		
3	Department of Agriculture	
4	Parking Improvement/Expansion-Raleigh Farmers Market	200,000
5	Wholesale Dock Enclosure – Raleigh Farmers Market	750,000
6	Phase II Greenhouse Exp. – Additional Funding – Tidewater RS	200,000
7	Phase II – Calf Barn Construction – Piedmont RS	150,000
8	Forest Road Construction	150,000
9	HVAC Campus Improvements – State Fairgrounds	2,500,000
10	Campus Infrastructure – State Fairgrounds	3,000,000
11	Renovations to Existing Buildings – State Fairgrounds	3,000,000
12	Hunt Horse Complex Site Rep & Improvements-St Fairgrounds	3,000,000
13		
14	Department of Cultural Resources	
15	NC Maritime Museum Gallants Channel Multi-use Facility	1,115,000
16	N. C. Museum of Art Trail Improvement Project	370,000
17	Duke Homestead Picnic Shelter	175,000
18		
19	Department of Environment and Natural Resources	
20	Sound Side Dock & Education Gazebo at Roanoke Is Aquarium	350,000
21	NC Zoo – Solar Pointe Restrooms	400,000
22		
23	Wildlife Resources Commission	
24	Agency Land Purchase	3,750,000
25	Table Rock Hatchery Building Replacement	75,000
26	Watha Hatchery Building Replacement	300,000
27	New Construction of Fishing Access Areas	240,000
28	New Construction of Boating Access Areas	800,000
29	Renovations of Existing Boating Access Areas	800,000
30	ADA Initiative of Existing Boating Access Areas	280,000
31	Infrastructure Repair and Renovation	1,500,000
32		
33	TOTAL AMOUNT OF NON-GENERAL FUND CAPITAL	
34	PROJECTS AUTHORIZED	\$25,051,143

SECTION 11. This act is effective when it becomes law.